

## NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

**RULE REPEAL AND PROMULGATION:** DMR Regulation 95.04 M, Closed Area No.39A, Center Harbor, Brooklin, promulgated on May 8, 1986, is repealed and replaced with the following rule:

**TEXT OF RULE:** DMR Regulation 95.04 M, Closed Area No. 39A Center Harbor, Brooklin.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters and mussels from all shores, flats and waters northerly of a line starting at, so called, Brooklin Boat Company wharf and extending approximately 400' offshore from the high water mark, to a red-painted post located three-quarters of a mile, more or less, westerly of said wharf.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. 6204).

EFFECTIVE DATE: September 10, 1996

AGENCY CONTACT PERSON: Paul Anderson  
Department of Marine Resources  
McKown Point  
Boothbay Harbor, Maine 04575

BANGOR DAILY NEWS  
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### STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals this emergency DMR Regulation 95.04M, Closed Area No. 39A, Center Harbor, Brooklin, promulgated May 8,1986 and replaces it with a new regulation. This regulation enlarges the closure zone to the east.

Department personnel have sampled and surveyed the closed area and have determined that there are licensed overboard discharges and failing water quality scores in the area that are a threat to public health.



HAROLD C. WINTERS, ADMINISTRATIVE OFFICER  
FOR ROBIN ALDEN, COMMISSIONER  
AS AUTHORIZED BY 12 MRSA SECTION 6023

